

SUBDIVISION MEETING
March 11, 2004

Chairman Mike Murray called the meeting to order at 9:00 a.m. Commissioners Tinsley and Varone were present. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Lindsay Morgan, Frank Rives, Mary Brewer, William Holmes, Randall Adams, Sandra Adams, Katy Fields, Bill Fields, Patti Nickol, and David Nickol, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Time Extension for Sierra Road Bike Path Engineering Services Contract. Brian Holling reported the engineering services contract with Robert Peccia and Associates is to provide design and construction management for the bike path. The original contract was amended to expire at the end of August 2003 and due to some delays of securing right of way were unable to construct the project last year. Bids were advertised this year and the consultant is able to fulfill the contract obligations. The path will be completed this summer. Staff recommends approval to extend the contract to August 31, 2004.

Commissioner Tinsley moved to approve the extension and authorize the chair to sign. Commissioner Varone seconded the motion and it carried unanimously.

Resolution Establishing the Effective Date of the Wolf Creek/Craig Fire Service Area Annexation. Ron Alles reported on January 6 the Commissioners passed a resolution annexing that certain area into Wolf Creek/Craig Fire Service Area; there is a 60-day protest period and as of this date there are no letters of protest. Staff recommends adopting the effective date of the annexation. Commissioner Varone moved to approve the resolution and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Reconsideration of Contract and Encroachment Agreement. (cont. from 2/27 & 3/9/04) (Petitioner, Ron Adams) Sharon Haugen reported the agreement is to install and maintain two three-inch septic lines for a community waste water system located on the north side of Little Wolf Creek Road and designed to service the approved subdivision located on the south side of Little Wolf Creek Road. The septic lines cross Little Wolf Creek Road and have already been installed at the time of inspection by the County Public Works Department. Ron Alles noted for the record that the signatory has been changed to Mrs. Sandra Adams.

Commissioner Tinsley stated after careful consideration and review of all the information received and based on certain situations that occurred during the process moved that the county enter into an encroachment agreement, non pro tunc. Commissioner Tinsley encouraged Mr. and Mrs. Adams to take from this a lesson that the county is looking carefully at situations like this where things are done outside the process. Because of the county's failure to send you a letter does not mean Mr. Adams did not know what he was doing was incorrect.

Commissioner Varone seconded the motion and added the only reason she is voting for this today is because of the county's error in sending Mr. Adams the letter and also

based on information that Mr. Adams has a history and a pattern of doing whatever he pleases and if caught asks for forgiveness. In the future, Commissioner Varone will recommend that the commission assess fines to those who violate county conditions.

Commissioner Murray stated he appreciates the fact that Mr. Casne stood up and took responsibility for any errors that may have occurred and asked the Adams' attorney to also sign the encroachment agreement.

Sharon Haugen reminded the Adams to make sure all of the conditions established in the encroachment agreement are completed, as well as all other conditions of the subdivision.

The motion to approve the contract and encroachment agreement carried unanimously.

Proposed Minor Subdivision, Preliminary Plat to be known as the Fields Minor Subdivision. (Applicant, William & Katy Fields) (cont. from 3/09/04). The applicants proposed to create four single-family residential lots. The proposed subdivision is generally located immediately south of Tea Road and immediately west of Ferry Drive.

Commissioner Varone moved to approve the variance from the Improved Surface Standards because Ferry Drive does not meet Peccia Standards #3 and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried 2-1. Commissioner Murray abstained from voting because he was not present at the March 9 portion of the meeting.

Commissioner Varone moved to approve the proposed minor subdivision subject to 14 conditions of approval as recommended by staff. Commissioner Tinsley seconded the motion.

Amendments to Conditions of Approval.

Condition 7. Commissioner Varone moved to delete this condition because the variance was granted. Commissioner Tinsley seconded the motion and it carried unanimously.

Condition 8.k.n. Commissioner Varone moved to amend the condition to read, "notification that all ~~eats~~ and dogs must be restrained or penned at all times." The motion died for lack of a second.

Lindsay Morgan stated she will remove the parenthesis in condition 8.k.i. for clarity.

Katy Fields stated she will visit with staff to begin the process of creating a homeowners association to fix the roads.

The motion to approve the proposal subject to 14 conditions as amended carried 2-1. Commissioner Murray abstained from voting because he was excused from the March 9 portion of the meeting.

Proposed Minor Subdivision, Preliminary Plat to be known as the Amended Plat of Lot 2, Anderson Minor Subdivision. (Applicants, David & Patricia Nickol) (cont. from 2/24/04). The applicants propose to create five single-family residential lots. The

proposed subdivision is generally located immediately east of Green Meadow Drive, south of Ten Mile Creek.

Lindsay Morgan reported the applicants concur with the following condition changes:

Condition 8. Changed “westward” and “western” to “eastern” because the property is on the east side of Green Meadow Drive.

Condition 10.n. Changed to read, “prohibit the raising, keeping, or confinement of livestock with the exception of any 4-H projects.”

Condition 12. Changed so the applicant would have the choice of either individual mailboxes or a mailbox unit for the entire subdivision.

Commissioner Tinsley moved to approve the proposed minor subdivision subject to 19 conditions as recommended by staff and authorize the chair to sign. Commissioner Varone seconded the motion.

Amendments to Conditions of Approval.

Conditions 8, 10.n and 12. Commissioner Varone moved to amend the conditions as recommended by staff. Commissioner Tinsley seconded the motion and it carried unanimously.

The motion to approve the subdivision proposal as amended carried unanimously.

Public Comments. None.

There was no other business and the meeting adjourned at 9:25 a.m.